HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 918 (M/S) of 2006

Shri Girish Chand Juyal S/o Shri Ravi Dutt Juyal R/o 56, E.C. Road, Dehradun .....Petitioner

Versus

Shri Sanjay Sharma S/o Sri Diwan Sagar, R/o 41-B, Rajpur Road, Dehradun .....Respondent

Sri I.P. Kohli, Advocate for the petitioner.
Standing Counsel for the respondent.

Dated 18.7.2006

Hon'ble Rajesh Tandon, J.

Heard the learned counsels for the parties.

By the present writ petition, petitioner has prayed for a writ of mandamus directing the Civil Judge, (Senior Division), Dehradun to decide case No. 8 of 2002 Girish Chand Juyal Vs. Sanjay Sharma within a period of 15 days.

Briefly stated, according to the petitioner, he has filed an application under section 21 (1) (a) of U.P. Act No. 13 of 1972 against the respondent in the year 2002.

The grievance of the petitioner is that the said application is pending after the laps of more than 4 years.

Rule 15 (3) of the U.P. Act No. 13 of 1972 read as under :-

(3) "Every application referred to in sub-rule (1)shall, as far as possible, be decided within two months from the date of its presentation."

In view of above, the Civil Judge (Senior Division) Dehradun is directed to dispose of the application of the

petitioner under section 21 (1) (a) of the U.P. Act No. 13 of 1972 within a period of four months.

Accordingly, writ petition is disposed of. No order as to costs.

Dated: 18.7.2006 **Rajesh Tandon, J.**

*Dhyani